

**REMARKS**

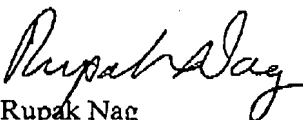
Claims 1-3 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1, 3-4, and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart et al. (U.S. Pat. No. 6,901,519 B1) in view of Arnold et al. (U.S. Pat. No. 5,440,723). Claims 2 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart and Arnold as applied to claim 1 above, and further in view of Lerche et al. (U.S. Pat. No. 5,511,163). Claims 1 and 2 were rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps.

Claims 3 and 6 have been cancelled. Appropriate corrections have been made to the claims as shown in the amendments herein.

Claims 1 and 2 are for a method of creating and implementing (as the claims now recite) an anti-computer virus agent. These claims fall in the subject matter category of process and, as such, are directed to statutory subject matter under Section 101. The Office Action states that the "method recited in the claims is for software," however, Applicant believes the invention recited in claims 1 and 2 are for "processes" comprised of a series of steps, and not for computer code or software. On the other hand, claims 4 and 5 are directed to "articles of manufacture" (in this case, a computer-readable medium, such as a disk) and, in contrast to claims 1 and 2, recite software embodied in a computer-readable media.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER LLP



Rupak Nag  
Reg. No. 37,493

P.O. Box 70250  
Oakland, CA 94612-0250  
Telephone: (612) 252-3335